

Exhibit A



Entered on Docket
October 27, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,¹

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,²

USA SECURITIES, LLC,³

Debtors.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR¹
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR²
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

ORDER SUSTAINING TWENTY-FIRST OMNIBUS OBJECTION OF USACM LIQUIDATING TRUST TO DOUBLE COUNTED CLAIMS

Hearing Date: October 19, 2009
Hearing Time: 3:00 p.m.

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

1 The Court having considered the “Twenty-First Omnibus Objection of USACM
2 Liquidating Trust to Double Counted Claims; and Certificate of Service” [DE 7535] (the
3 “Objection”); the Court having heard the Objection on October 19, 2009; appropriate
4 notice of the Objection having been given; no response to the Objection having been filed;
5 and good cause appearing:

6 **IT IS ORDERED** that:

- 7 1. The Objection [DE 7535] is sustained; and
8 2. The claims listed on **Exhibit A** are disallowed in the amounts shown there as
9 duplicative amount.

10 PREPARED AND RESPECTFULLY SUBMITTED BY:

11 **LEWIS AND ROCA LLP**

12 By /s/ John Hinderaker (018024)
13 Rob Charles
14 John Hinderaker (*pro hac vice*)
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19 *Attorneys for USACM Liquidating Trust*

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1 In accordance with Local Rule 9021, the undersigned certifies:

- 2 The Court waived the requirements of LR 9021.
- 3 No parties appeared or filed written objections, and there is no trustee appointed
4 in this case.
- 5 I have delivered a copy of this proposed order to all counsel who appeared at the
6 hearing, any unrepresented parties who appeared at the hearing, and any trustee
7 appointed in this case, and each has approved or disapproved the order, or failed
 to respond, as indicated below (list each party and whether the party has
 approved, disapproved, or failed to respond to the document):

U.S. Trustee:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

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15 Submitted by:

16 **LEWIS AND ROCA LLP**

18 By: /s/ JH (#018024)

19 Rob Charles
20 John Hinderaker (*pro hac vice*)
21 Attorneys for USACM Liquidating Trust

USACM

Exhibit A
Proofs of Claim Asserting Duplicate Amounts

Name	Address	Claim #	Total Amount of Claim as Listed in Claim Register	Claim Amount Subject To Objection as a Duplicative Amount
SECURE RETIREMENT TRUST B	C/O LEONA APIGAN TRUSTEE 172 WOODLAND RD GOLDDENALE WA 98620-2613	10725-01961	101,493.04	50,746.52
SHARP JT TEN, CHRIS & TERRI	29276 WHITEGATE LN HIGHLAND CA 92346	10725-02303	200,000.00	100,000.00
SHELDON & MARION G PORTMAN TRUST DTD 11/1/85	SHELDON & MARION G PORTMAN TTEES 9505 CITY HILL CT LAS VEGAS NV 89134-1171	10725-01912	2,721,699.28	1,360,849.64
SIMMONS HWJTWROS, ALAN R & JUDITH B	PO BOX 13296 SOUTH LAKE TAHOE CA 96151-3296	10725-02175	1,186,288.22	593,144.11
SIMON TTEES OF SIMON FAMILY TR 2000, ALAN & CAROL	1800 WALDMAN AVE LAS VEGAS NV 89102-2437	10725-01909	202,866.68	101,433.34
SKIP & MARY HAROUFF TRUST DTD 12/5/95	MARY ANN & DWIGHT W HAROUFF TTEES 5680 RUFFIAN RD LAS VEGAS NV 89149	10725-01966	626,556.78	313,278.39
SMALL FAMILY TRUST	RICHARD & JACQUELIND SMALL TTEES 4801 CALLE SANTA CRUZE PRESCOTT VALLEY AZ 86314	10725-01955	703,134.00	351,567.00
SOUZA JT TEN, DAVID A & ELIZABETH M	542 SOCORRO CT RENO NV 89511	10725-01960	1,031,654.42	515,827.21
STARK FAMILY TRUST DTD 4/2/84	ROLAIND L STARK TTEE 10905 CLARION LN LAS VEGAS NV 89134	10725-01996	198,268.14	99,134.07
STOEBLING FAMILY TRUST	C/O DAVID STOEBLING TRUSTEE 3568 E RUSSELL RD STE D LAS VEGAS NV 89120-2234	10725-00945	100,000.00	50,000.00